

ARLINGTON BUSINESS GUIDE

ARLINGTON, MASSACHUSETTS
Planning & Community Development Department



ARLINGTON BUSINESS GUIDE

GETTING STARTED

The Town of Arlington has created this Business Guide to help small businesses navigate municipal procedures – including permitting, licensing and zoning – in a simple, straight-forward format. It is part of a larger effort to attract new businesses into the town’s business districts while also seeking to diversify the existing retail mix.

Arlington’s small business community is the heart of the town’s commercial centers in Arlington Heights, Arlington Center, East Arlington and Broadway. Unlike major chains, malls and lifestyle centers, small businesses are typically run by an owner with few, if any, employees. Small business proprietors often have to engage in potentially confusing permitting and licensing processes on their own, with little assistance or counsel. This Guide provides short summaries of the steps required to apply for various permits and licenses required to do business in the town, enabling small proprietors to save time and money by following concrete, defined processes with results that are as predictable as possible.

As you move forward, licenses and permits are required in Arlington because the Town must complete technical and regulatory reviews to ensure the health and safety of its citizens. However, as a small business, you will receive assistance and guidance as you go through various application processes, which will help ensure that the outcomes are clear and finalized as quickly as possible so you can open your business. Your success becomes the town’s success.

PLACES TO START

As you prepare to open your business, always remember that Arlington’s Economic Development Planner, based in the Planning & Community Development Department, is happy to assist you with applications so that you can do things right the first time, saving everyone time and effort. You should also visit the Selectmen’s Office in Town Hall, the Board of Health in the Senior Center and Building Department at the Public Works complex. Key contacts for the Town’s licensing and permitting processes are listed on the next page.





TOWN STAFF

KEY CONTACTS

PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT (Town Hall, 730 Mass. Ave.)

Ted Fields	781.316.3095	Economic Development Officer
Carol Kowalski	781.316.3090	Planning & Community Development Director
Joey Glushko	781.316.3093	City Planner (sign by-law)
Corina Beckwith	781.314.3012	Conservation Agent (wetlands, floodplains)

SELECTMEN'S OFFICE (Town Hall, 730 Mass. Ave.)

Marie Krepelka	781.316.3022	Board Administrator (licenses)
Mary Ann Sullivan	781.316.3024	Clerk

INSPECTORIAL SERVICES DEPARTMENT (51 Grove Street)

Michael Byrne	781.316.3090	Inspectional Services Director (building permits, zoning)
---------------	--------------	---

BOARD OF HEALTH (Senior Center, 27 Maple Street)

Christine Bongiorno	781.316.3170	Health Director (health permits)
Natasha Waden	781.316.3170	Health Compliance Officer
James Feeney	781.316.3170	Health Compliance Officer

TOWN CLERK (Town Hall, 730 Mass. Ave.)

Stephanie Lucarelli	781.316.3070	Town Clerk (business registration)
---------------------	--------------	------------------------------------

PUBLIC WORKS DEPARTMENT (51 Grove Street)

Michael Rademacher	781.316.3301	Director of Public Works
Wayne Chouinard	781.316.3320	Town Engineer (curb cuts, utility connections)
Charlotte Milan	781.316.3104	Recycling Coordinator (recycling & trash pickup)

FIRE DEPARTMENT (Public Safety Building, 112 Mystic Street)

James Bailey	781.316.3803	Deputy Chief (fire prevention)
--------------	--------------	--------------------------------

OFFICE HOURS

Monday - Wednesday: 8:00am to 4:00pm Thursdays: 8:00am to 7:00pm

Fridays: 8:00am to 12:00pm *Inspectional Services: Monday - Friday: 8am - 4pm*

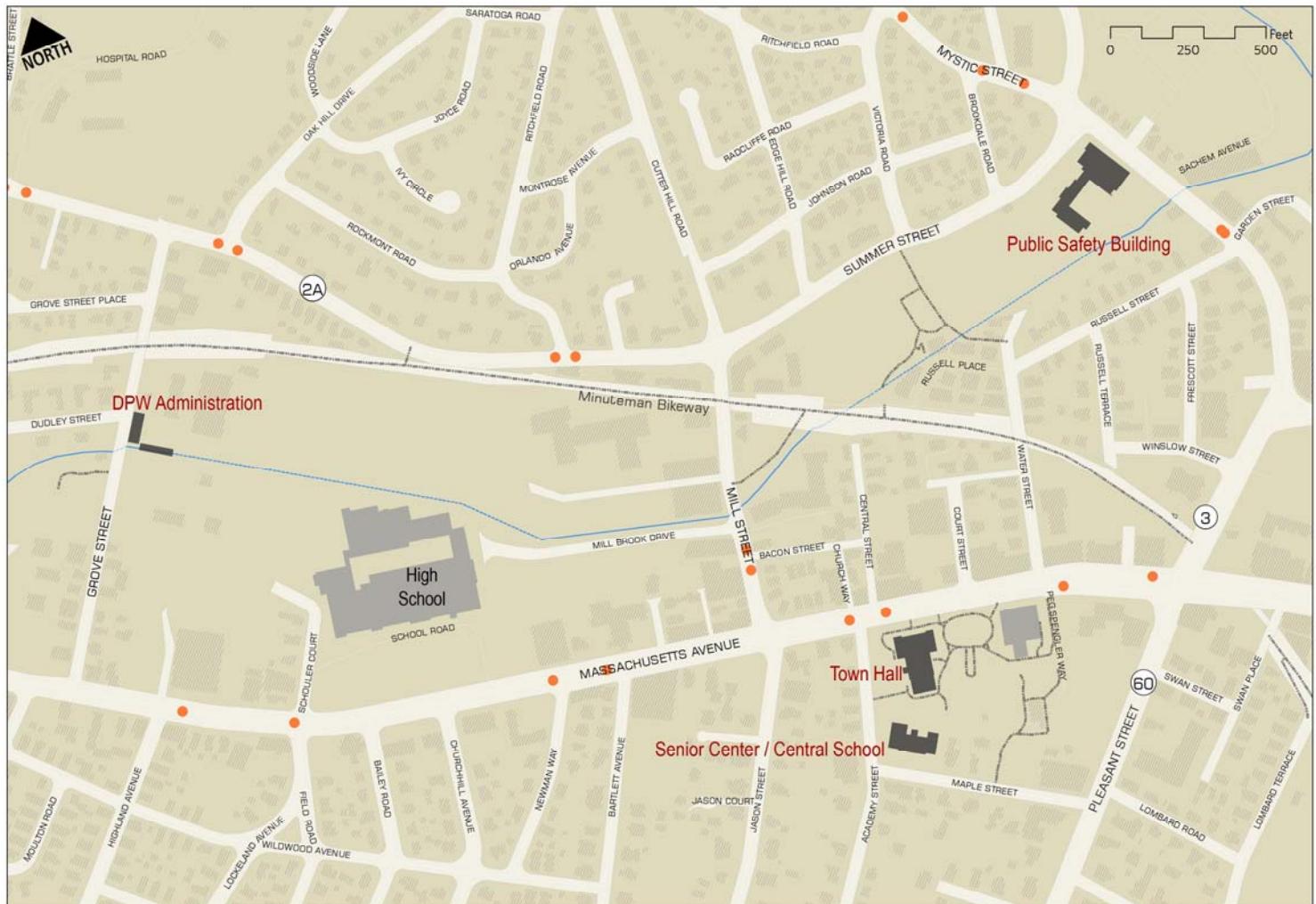


July 30, 2014

Arlington Planning & Community Development Department

TOWN OFFICE LOCATIONS

FOR DIRECTIONS: Contact Ted Fields, Economic Development Officer at 781.316.3095



ARLINGTON, MASSACHUSETTS: TOWN OFFICES

Source: Arlington Municipal GIS / Planning & Community Development Department, 2014

● MBTA bus stops



July 30, 2014

Arlington Planning & Community Development Department



BUSINESS CERTIFICATES

TO START: Contact Ted Fields, Economic Development Officer at 781.316.3095

WHAT IS A BUSINESS CERTIFICATE? A business certificate is the public record of the name and address of the owner(s) of a business, and is commonly referred to by the name "D.B.A." ("doing business as") or "Sole Proprietorship". Its purpose is primarily for consumer protection and public information. Lenders will typically request a copy of your business certificate.

WHO MUST FILE A BUSINESS CERTIFICATE? Massachusetts General Laws Chapter 110, §5 states that any person conducting business in the Commonwealth under any title other than the real name of the person conducting the business, whether individually or as a partnership, shall file (a certificate) in the office of the clerk of every city or town where an office of any such person or partnership may be situated.

A business certificate is not required if a corporation is doing business in its true corporate name, or if a partnership is doing business under any title which includes the true surname of any partner. Certain other associations and partnerships may also be exempt (refer to above citation for details). Businesses who file with the Secretary of State's Office do not need to file in the town.

HOW DO I FILE OR RENEW A BUSINESS CERTIFICATE? Business certificates can be obtained at the Town Clerk's office in Town Hall. This can be obtained by proving that the owner filing for the business certificate is to be a resident at the listed address and meets the requirements for a home business. After obtaining the Home Occupancy Approval letter, you can present it at the Town Clerk's office to obtain a Business Certificate. The fee for a business certificate is \$30.00 and is valid for four years. Renewal fee is also \$30.00.

WHAT DO I DO IF I DISCONTINUE OR WITHDRAW FROM THE CERTIFIED BUSINESS, OR MOVE TO ANOTHER LOCATION? If you are no longer in business or you move out of Arlington, you should file a Withdrawal From Business form with the Town Clerk. The fee for withdrawing from a business is \$10.00. This should be done as soon as possible as personal property taxes on your business cannot be adjusted until the Assessors Office receives your Withdrawal form. Withdrawal is effective from the date that you file, not the date you ended your business.

WHAT IS THE PENALTY FOR FAILING TO FILE A BUSINESS CERTIFICATE? Massachusetts State Law (MGL Chapter 110, §5) requires a Business Certificate to be filed where necessary. Failure to do so is punishable by a fine of up to \$300.00 per month of violation.

DOES THE FILING OF A BUSINESS CERTIFICATE PROTECT ME FROM OTHERS USING THE SAME NAME? No. The protection of a trademark (word, name, symbol or device) in Massachusetts is accomplished through the Secretary of State's Office*(<http://www.sec.state.ma.us/cor/corpweb/cortmsm/tmsminf.htm>)



ESTABLISHMENT LICENSES

TO START: Contact Ted Fields, Economic Development Officer at 781.316.3095

WHAT IS AN ESTABLISHMENT LICENSE? An Establishment License allows the Town to determine compliance with relevant health and safety codes for businesses that involve preparing, distributing and selling food or tobacco, performing body work or creating body art on clients or operating dumpsters for commercial uses.

WHO NEEDS TO GET AN ESTABLISHMENT LICENSE? Any business handling and selling food such as a catering business, restaurant, diner, or food distributor must obtain a FOOD ESTABLISHMENT LICENSE. Any business selling goods for consumption, such as tobacco and candy must obtain an ESTABLISHMENT LICENSE. Any business using a dumpster or dumpsters on a site must obtain a DUMPSTER LICENSE. Businesses offering bodywork services, such as therapeutic massage or indoor tanning, or body art, such as tattoos or piercings, must obtain an ESTABLISHMENT LICENSE. Finally car-refinishers must obtain an ESTABLISHMENT LICENSE.

WHERE DO I GET AN ESTABLISHMENT LICENSE? The Board of Health issues ESTABLISHMENT LICENSES.

HOW DO I GET AN ESTABLISHMENT LICENSE? An ESTABLISHMENT LICENSE may be obtained through the following steps:

1. Application: The application form is called a License to Operate an Establishment. It may be obtained from the Town Clerk or the Health Department.
2. Review: The Health Director and Board of Health will schedule the review of the application, which may include a public meeting.
3. Decision: A decision on the application will be made within 30 days.
4. Inspection: The Health Director may periodically inspect the premises to check compliance.





OPENING A RETAIL STORE

To START: Contact Ted Fields, Economic Development Officer at 781.316.3095

A. Consult the Inspectional Services Department for comprehensive information on zoning and parking requirements on any particular site. Talk to a Building Inspector about obtaining a BUILDING PERMIT and/or A SIGN PERMIT if your proposed retail site requires interior or exterior renovations, including any new or remodeled signage. Apply to the Zoning Board of Appeal or the Redevelopment Board for VARIANCES /SPECIAL PERMITS for relief from local zoning requirements if necessary.

- ◆ Contact: Michael Byrne, Director of Inspectional Services - 781.316.3090

B. Obtain a BUSINESS CERTIFICATE from the Town Clerk's Office, if necessary.

- ◆ Contact: Stephanie Lucarelli, Town Clerk - 781.316.3070

Please refer to the directions on page 3 for more information on this topic.

C. Contact the Fire Department's Fire Prevention Office to schedule fire safety inspections for smoke detectors and, if necessary, hazardous materials storage.

- ◆ Contact: James Bailey, Deputy Chief - 781.316.3803

D. Consult the Selectmen's Office if you plan to sell automobiles, conduct auctions, or sell second-hand goods. A permit may be required.

- ◆ Contact: Mary Ann Sullivan, Selectmen's Office - 781.316.3022

E. Consider joining the Arlington Chamber of Commerce.

- ◆ Contact: Jennifer Tripp - 781.643.4600

Note: Retailers of tobacco products, nicotine delivery products, and food products must obtain a permit from the Health Department and may be required to submit a plan review application.





OPENING A RESTAURANT

TO START: Contact Ted Fields, Economic Development Officer at 781.316.3095

- A. Consult the Inspectional Services Department for comprehensive information on zoning and parking requirements on any particular site. Talk to a Building Inspector about obtaining a BUILDING PERMIT and/or a SIGN PERMIT if your proposed retail site requires interior or exterior renovations, including any new or remodeled signage. Apply to the Zoning Board of Appeal or the Redevelopment Board for VARIANCES /SPECIAL PERMITS for relief from local zoning requirements if necessary.
 - ◆ Contact: Michael Byrne, Director of Inspectional Services - 781.316.3090
- B. Obtain a BUSINESS CERTIFICATE from the Town Clerk's Office, if necessary.
 - ◆ Contact: Stephanie Lucarelli, Town Clerk - 781.316.3070 (*refer to page 3 for more information*)
- C. Apply to the Health Department for a FOOD ESTABLISHMENT PERMIT.
 - ◆ Contact: Natasha Waden, Health Compliance Officer - 781.316.3170

An applicant must submit properly prepared plans and specifications for review and approval before (1) construction of a food establishment, (2) change of ownership, (3) remodeling of an establishment; (4) change in the type of food establishment or operation. A Food Establishment Plan Review Application can be obtained from the Health Department's website (www.town.arlington.ma.us/health) or in person at the office. The Health Department requires 30-days to review a completed application.
- D. Apply to the Selectmen's Office for a COMMON VICTUALLERS LICENSE if your restaurant has seating for diners on the premises, and for a LIQOUR LICENSE if your restaurant plans to serve alcohol. You will also need an OUTDOOR SEATING PERMIT from the Selectmen's Office if your restaurant wants to have outdoor seating on a public sidewalk or property.
 - ◆ Contact: Mary Ann Sullivan, Selectmen's Office - 781.316.3022
- E. Contact the Fire Department's Fire Prevention Office to schedule fire safety inspections for smoke detectors and, if necessary, hazardous materials storage.
 - ◆ Contact: James Bailey, Deputy Chief - 781.316.3803
- F. Join the Arlington Chamber of Commerce.
 - ◆ Contact: Jennifer Tripp - 781.643.4600





OPENING A SERVICE BUSINESS

TO START: Contact Ted Fields, Economic Development Officer at 781.316.3095

- A. Consult the Inspectional Services Department for comprehensive information on zoning and parking requirements on any particular site. Talk to a Building Inspector about obtaining a BUILDING PERMIT and/or A SIGN PERMIT if your proposed retail site requires interior or exterior renovations, including any new or remodeled signage. Apply to the Zoning Board of Appeal or the Redevelopment Board for VARIANCES /SPECIAL PERMITS for relief from local zoning requirements if necessary.
 - ◆ Contact: Michael Byrne, Director of Inspectional Services - 781.316.3090
- B. Obtain a BUSINESS CERTIFICATE from the Town Clerk's Office, if necessary.
 - ◆ Contact: Stephanie Lucarelli, Town Clerk - 781.316.3070
- C. Permits must be obtained from the Health Department if you plan to operate a body work, body art or tanning facility; operate a funeral home, camp or semi-public swimming pool, or haul waste in the town.
 - ◆ Contact: Natasha Waden, Health Compliance Officer - 781.316.3170
- D. Consult the Selectmen's Office if you plan to sell automobiles, conduct auctions, offer amusements, entertainment, lodging, operate taxi/hackney services or sell second-hand goods. A permit may be required.
 - ◆ Contact: Mary Ann Sullivan, Selectmen's Office - 781.316.3022
- E. Contact the Fire Department's Fire Prevention Office to schedule fire safety inspections for smoke detectors and, if necessary, hazardous materials storage.
 - ◆ Contact: James Bailey, Deputy Chief - 781.316.3803
- F. Join the Arlington Chamber of Commerce.
 - ◆ Contact: Jennifer Tripp - 781.643.4600





OPENING AN OFFICE-BASED BUSINESS

TO START: Contact Ted Fields, Economic Development Officer at 781.316.3095

- A. Consult the Inspectional Services Department for comprehensive information on zoning and parking requirements on any particular site. Talk to a Building Inspector about obtaining a Building Permit and/or a Sign Permit if your proposed retail site requires interior or exterior renovations, including any new or remodeled signage. Apply to the Zoning Board of Appeal or the Redevelopment Board for variances /special permits for relief from local zoning requirements if necessary.
 - ◆ Contact: Michael Byrne, Director of Inspectional Services - 781.316.3090
- B. Obtain a BUSINESS CERTIFICATE from the Town Clerk's Office, if necessary.
 - ◆ Contact: Stephanie Lucarelli, Town Clerk - 781.316.3070
- C. Consult the Selectmen's Office if you plan to sell automobiles, conduct auctions, offer amusements, entertainment, lodging, operate taxi/hackney services or sell second-hand goods.
 - ◆ Contact: Mary Ann Sullivan, Selectmen's Office - 781.316.3022
- D. Contact the Fire Department's Fire Prevention Office to schedule fire safety inspections for smoke detectors and, if necessary, hazardous materials storage.
 - ◆ Contact: James Bailey, Deputy Chief - 781.316.3803
- E. Join the Arlington Chamber of Commerce.
 - ◆ Contact: Jennifer Tripp - 781.643.4600



July 30, 2014

Arlington Planning & Community Development Department



ALCOHOLIC BEVERAGE LICENSES

TO START: Contact Ted Fields, Economic Development Officer at 781.316.3095

- **DEFINITION:** An alcoholic beverage license is required for establishments handling alcoholic beverages, including retail pouring or package sales. Any business that sells, stores, distributes, serves or delivers alcohol must have an alcoholic beverage license.
- **WHERE AND HOW DO I GET AN ALCOHOLIC BEVERAGE LICENSE?** Alcoholic beverage licenses must be approved by the Board of Selectmen as well as the Massachusetts Alcoholic Beverages Control Commission (ABCC). The Board of Selectmen, acting as the local licensing board, ultimately issues the license according to the following process:

Application:

- I. Choose and complete the appropriate online application on ABCC's website (<http://www.mass.gov/abcc/forms.htm>);
- II. Submit the application to the Board of Selectmen. The application will be posted as an agenda item for the Board;
- III. Appear before the Board of Selectmen at the posted time, date and location.

Local and State Review:

- I. The Board of Selectmen will review your application and determine whether to approve it at the local level;
- II. If the Board approves your application, the Selectmen's Office will forward the application to the ABCC for its approval. Once approved by the ABCC, the Board of Selectmen will issue you the Alcoholic Beverages License.

Note: There are a limited number of All Alcohol Licenses that can be issued in Arlington - check with the Selectmen's Office for availability. If you stop operating a licensed business, you must give up your license and deliver it to the Board of Selectmen. If you plan to temporarily suspend your business operations, you must provide notice to the Board of Selectmen at least 10 days in advance.

- Contact: Mary Ann Sullivan, Selectmen's Office - 781.316.3022
- **FEES:** Fees are payable to the ABCC with the application. Once the license is approved, a license fee must be paid to the town.



July 30, 2014

Arlington Planning & Community Development Department



BUILDING PERMITS

TO START: Contact Ted Fields, Economic Development Officer at 781.316.3095

WHAT IS A BUILDING PERMIT? In Arlington, Building Permits are issued by the Inspectional Services Department to licensed contractors and property owners whenever a building or structure is built, reconstructed or altered. Work that increases the intensity of use or the lot coverage on a property also triggers the need for a Building Permit.

WHO NEEDS TO GET A BUILDING PERMIT? Building permits are required to construct, reconstruct, alter, repair, remove or demolish a structure (which includes buildings, fences, walls, signs, temporary sheds, awnings, etc. under Arlington's Zoning By-Law).

WHERE AND HOW DO I GET A BUILDING PERMIT? The Director of Inspectional Services issues building permits. Other required approvals for the work, such as Special Permits, Variances and Fire Department approval, must be obtained before a Building Permit can be issued. Follow the steps below to obtain a Building Permit and a Certificate of Occupancy:

- I. Application: Submit a Building Permit application to the Inspectional Services Department. The fee is calculated at that time based on the value of construction.
- II. Process: After submittal of the Application and Plans, a Building Permit must be issued to begin construction. Elements of construction such as foundation, plumbing and electrical will be permitted separately under certain conditions. Periodic inspections must be scheduled as elements of the project are completed. A final inspection and review is necessary for a Certificate of Occupancy.
- III. Certificate of Occupancy: After your building permit work is completed, the project will receive a Certificate of Occupancy from the Inspectional Services Department, which is required to occupy the building.

Consult the Inspectional Services Department for a complete description of the Building Permit process.

BUILDING PERMIT FEES: Consult the Inspectional Services Department for a complete schedule of the relevant fees for new construction permits, sign installation, building moving/demolition, plan review and plumbing, gas and wiring inspection. **Work started without a permit will be charged all fees at triple the scheduled rate.**



July 30, 2014

Arlington Planning & Community Development Department

Arlington
Business Guide

www.arlingtonma.gov - 781.316.3095



SPECIAL PERMITS

TO START: Contact Ted Fields, Economic Development Officer at 781.316.3095

WHAT IS A SPECIAL PERMIT? A SPECIAL PERMIT grants the use of a structure or lot in a manner not allowed By-Right under Arlington's Zoning Bylaw. A SPECIAL PERMIT can only be granted after a Special Permit Application is filed with the Town Clerk. The SPECIAL PERMIT process is regulated by the provisions of Sections 10 and 11.06 of the Zoning Bylaw.

WHO NEEDS A SPECIAL PERMIT? SPECIAL PERMITS are required for developing a use or uses on a lot which are not allowed By-Right in the Zoning Bylaw, and require the approval of the Zoning Board of Appeals (or Arlington Redevelopment Board, under a process called Environmental Design Review). SPECIAL PERMITS are also required for changing the existing uses of lots to uses not allowed By-Right under the Zoning Bylaw. Note that uses not allowed By-Right or by Special Permit in the Bylaw cannot be allowed by a Special Permit.

WHO APPROVES A SPECIAL PERMIT? The Zoning Board of Appeals (ZBA) reviews and approves SPECIAL PERMIT applications in Arlington, except for ones qualifying for Environmental Design Review (EDR) by the Arlington Redevelopment Board (ARB).

HOW DO I GET A SPECIAL PERMIT? There are several steps to obtaining a Special Permit from the ZBA or ARB. Most commercial properties in Arlington fall within the town's Redevelopment District, therefore they are subject to the EDR Special Permit process. Please consult the Inspectional Services Department for more information regarding the town's special permitting process.





SIGN PERMITS

TO START: Contact Ted Fields, Economic Development Officer at 781.316.3095

WHAT IS A SIGN PERMIT? A SIGN PERMIT grants the ability to install, move, alter or maintain a sign on a structure or lot. "Signs" are defined in Section 2 and the SIGN PERMIT process is regulated by the provisions of Section 7 of Arlington's Zoning Bylaw.

WHO NEEDS A SIGN PERMIT? All businesses in Arlington wishing to erect, install, move, modify or maintain or alter a sign require SIGN PERMITS from the Inspectional Services Department (ISD).

WHO APPROVES A SIGN PERMIT? A SIGN PERMIT is granted by the Inspectional Services Department after a Sign Permit Application is filed and reviewed by the Planning & Community Development Department.

HOW DO I GET A SIGN PERMIT? There are several steps to obtaining a SIGN PERMIT from the ISD:

1. Consultation: Potential applicants should consult with the Inspectional Services Department for information about and help in filing a Sign Permit Application. A sign company can help prepare a Sign Permit Application, however DO NOT construct a sign or signs before a SIGN PERMIT is granted.
2. Application: Applicants for Sign Permits must submit two (2) copies of an application packet to the ISD, along with a fee. Applicants must provide: a clear, COLOR picture of proposed signage as it will appear on site, dimensions of all signage and all associated lettering, a description of the sign's material and all lighting/wiring information.
3. Review & Decision: The Planning & Community Development Department reviews complete sign applications within fourteen (14) days of the application date. ISD grants Sign Permits for approved applications. An application fee of 10% of total (manufacturing and installation) cost must be paid to the Inspectional Services Department for approved SIGN PERMITS.
4. Special Permits: Exceptionally large signs, or a greater number of signs than allowed on a lot in a particular zoning district, may be approved by a SPECIAL SIGN PERMIT granted after a public hearing before the Zoning Board of Appeals (ZBA) or the Arlington Redevelopment Board (ARB). SPECIAL SIGN PERMITS take longer (3-6 weeks) to approve than SIGN PERMITS.

* The ARB grants Special Permits for properties in Arlington's Redevelopment District.



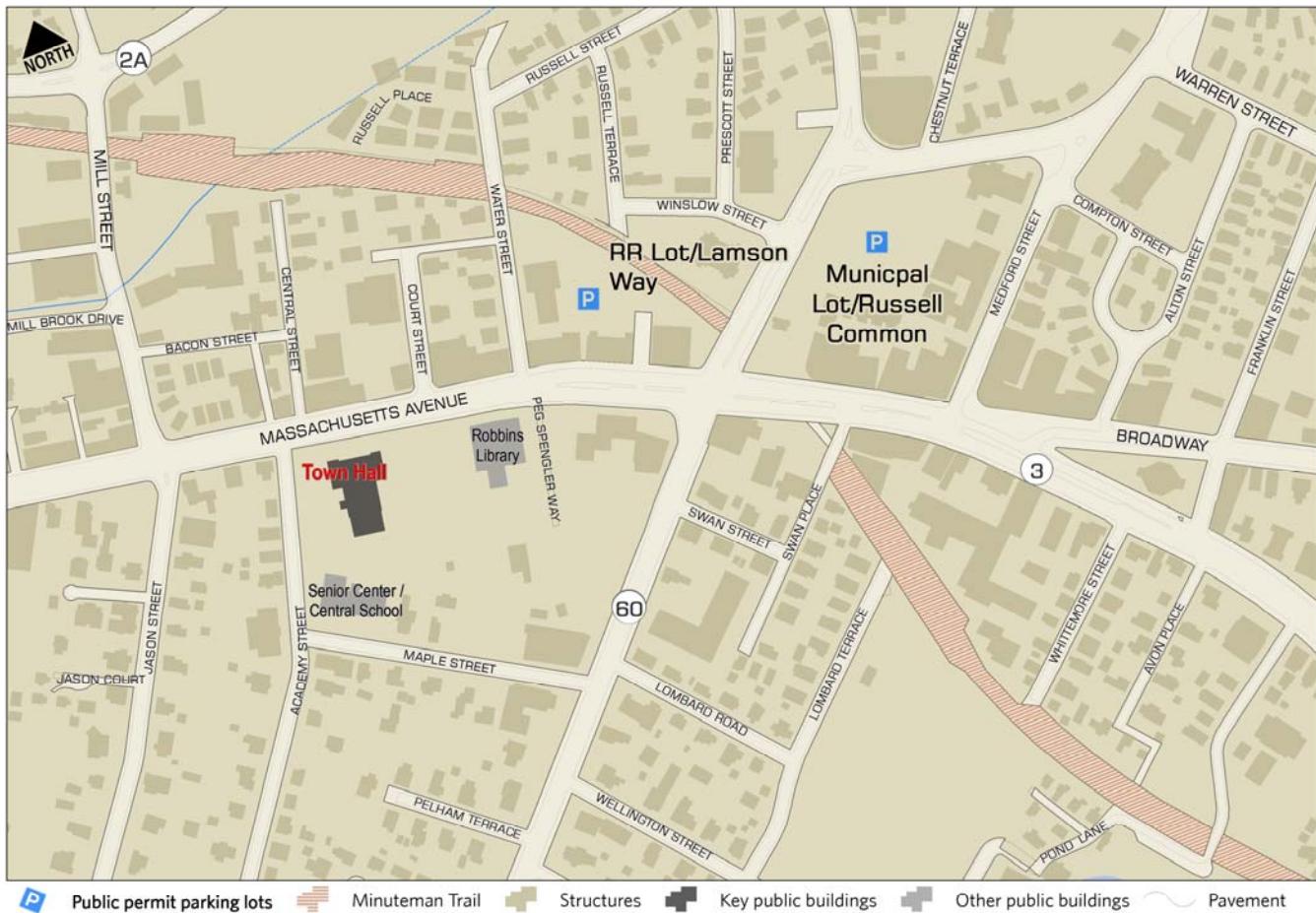
PARKING PERMITS

TO START: Contact Ted Fields, Economic Development Officer at 781.316.3095

WHAT IS A DAYTIME PARKING PERMIT? A DAYTIME PARKING PERMIT grants the ability to park in either of the public parking lots located in Arlington Center at the Russell Common and Railroad Street .

WHO SELLS A DAYTIME PARKING PERMIT? A DAYTIME PARKING PERMIT can be purchased from the Treasurer's Department for \$50 per month.

- ♦ Contact: Patty O'Riordan, Treasurer's Department - 781.316.3030



ARLINGTON, MASSACHUSETTS: PUBLIC PERMIT PARKING

0 100 200 400 Feet



July 30, 2014

Arlington Planning & Community Development Department



BOARD OF SELECTMEN - LICENSES

TO START: Contact Ted Fields, Economic Development Officer at 781.316.3095

WHAT LICENSES AND PERMITS DOES THE BOARD OF SELECTMEN ISSUE IN ARLINGTON? The Arlington Board of Selectmen serves as the licensing board responsible for issuing and renewing licenses for the following categories: common victualler, food vendor, alcohol, lodging houses/inn keeper, class I and II, second hand dealer, hackney, public entertainment, automatic amusement, and contractor drain layer.

The Board also issues the following permits: awning/sign permit, parking permit exceptions, block party, street performer and special events.

- ◆ Contact: Marie Krepelka, Board of Selectmen - 781.316.3020



July 30, 2014

Arlington Planning & Community Development Department